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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, CHAU T

ART UNIT PAPER NUMBER

2176

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/420,208

Applicant(s)

HERMAN ET AL.

Examiner

Chau Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-25 and 27-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-25, and 27-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Amendment, received on 10/07/2004, has been entered. Claims 1, 3-25, and 27-32 are now presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-9, 11, 13-22, 24-25, 27-30, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pallmann, Patent No. 6,094,684. ~~Pallmann~~, Blum et al, Patent No. 6,182,141, and further in view of Booth, US Patent No. 6,345,307.

4. As to claim 1, Pallmann teaches the invention as claimed, a method for a local computer system to control a remote system over the Internet, comprising the steps of:

initiating a log-in procedure by the local computer system (col. 9, lines 10-65: the machine 102 is able to display to the user the logon process of the internal FTP implementation);

verifying whether a user is authorized to access the remote system (col. 9, lines 10-65: when using the Internal FTP and the machine prompts for a computer name, it is asking for an Internet system identification);

accepting a command from an authorized user by the local computer system (col. 9, lines 10-65 and Fig. 23: when using the Internal FTP and the machine prompts for a computer name, it is asking for an Internet system identification);

executing the command through a File Transfer Protocol to perform a function on the remote system (col. 9, line 49 – col. 10, line 10 and Fig. 23);

issuing the command through the web browser on the local computer system (col. 8, line 57 – col. 9, line 65 and Fig. 23);

transmitting the command as HyperText Transfer Protocol over the Internet (col. 8, line 57 – col. 9, line 65: the machine 102 will have access to the increasing number of World Wide Web pages on the Internet using HTTP protocol);

However, Pallmann does not teach processing the HyperText Transfer Protocol command into a File Transfer Protocol command and forwarding the File Transfer Protocol command to the remote system. Blum teaches a request such as an FTP request is encapsulated within HTTP by an encapsulation routine before reaching a proxy server, and the proxy server must then strip the FTP request from the HTTP encapsulation before making a connection over the Internet in native FTP mode (col. 1,

line 58 – col. 2, line 11). Since Blum teaches these limitations in an environment such as a computer system for communicating with a remote server through the Internet which is similar to the system of Pallmann, thus, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Pallmann and Blum to include processing the HyperText Transfer Protocol command into a File Transfer Protocol command and forwarding the File Transfer Protocol command to the remote system in order to provide a number of benefits.

However, Pallmann and Blum do not explicitly disclose transmitting the command Hypertext Transfer Protocol without File Transfer Protocol and processing the Hypertext Transfer Protocol command into a File Transfer Protocol command without de-encapsulation. Booth teaches a proxy server is a type of gateway that allows a browser using HTTP to communicate with a server that does not understand HTTP, but which uses FTP; the proxy server accepts HTTP requests from the browser and translates them into a format that is suitable for the origin server such as an FTP request, and similarly, the proxy server translates FTP replies from the server into HTTP replies so that the browser can understand them (col. 1, lines 34-45). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Booth and Pallmann and Blum to include transmitting the command Hypertext Transfer Protocol without File Transfer Protocol and processing the Hypertext Transfer Protocol command into a File Transfer Protocol command without de-encapsulation for the purpose of enhance communications between users and servers that do not have the same protocols.

5. As to claim 3, Pallmann and Blum and Booth (Pallmann-Blum-Booth) teach the File Transfer Protocol command includes one of the commands for file creation, directory creation, file change, file removal, Unix file mode, user ownership change, group ownership change, and security permission (Pallmann, col. 14, lines 23-40 and col. 47, lines 14-65: creating, editing, or deleting files, or organizing files under different folder names subordinate to the subdirectory).

6. As to claim 4, Pallmann-Blum-Booth teach the step of logging user commands for each session (Pallmann, col. 9, lines 10-65: when using the Internal FTP and the machine 102 prompts for a computer name, it is asking for an Internet system identification).

7. As to claim 5, Pallmann-Blum-Booth teach the step of issuing a single script from the local computer system to command the remote system and to upload data to the remote system (Pallmann, Abstract, col. 9, lines 55-65, and col. 11, lines 1-25: the machine 102 can be used with FTP clients that support the `-s:scriptfile` syntax on the command line such as Microsoft FTP).

8. As to claim 6, Pallmann-Blum-Booth teach the data uploaded to the remote system is used to update or configure the software running on the remote system (Pallmann, col. 20, lines 47-63).

9. As to claim 7, Pallmann-Blum-Booth teach the step of issuing a single script from the local computer system to command the remote system and to download data from the remote system (Pallmann, Abstract and col. 9, lines 55-65).

10. As to claim 8, Pallmann-Blum-Booth teach the data downloaded from the remote system comprises a software program (Pallmann, Abstract and col. 27, lines 33-54).

11. As to claim 9, Pallmann and Blum teach the step of issuing command-line interface calls from a web-based graphical user interface (Pallmann, Fig. 13 and Fig. 30).

12. As to claim 11, Pallmann-Blum-Booth teach the remote system is comprised of a server computer (Pallmann, col. 10, lines 11-26).

13. As to claim 13, Pallmann-Blum-Booth teach the step of managing a plurality of remote systems from a single web-based control point (Pallmann, col. 10, lines 11-26).

14. As to claim 14, Pallmann-Blum-Booth teach the step of transmitting both commands and content through a same IP port of the remote system (Pallmann, col. 8, lines 29-49).

15. As to claim 15, Pallmann-Blum teach a server computer comprising:

an IP port which accepts FTP commands from a client computer system (Pallmann, col. 8, lines 29-56);

a processor coupled to the IP port which executes the FTP commands (Pallmann, col. 5, line 47 – col. 6, line 16; col. 6, lines 45-60; and col. 8, lines 29-49) ;

a first memory coupled to the processor which contains a file system (Pallmann, Abstract);

a first memory coupled to the processor for storing an operating system, wherein a remote user issuing the FTP commands from the client computer can administer the file system (Pallman, col. 44, lines 46-64), and wherein further the FTP commands are derived from Hypertext Transfer Protocol commands that arte transmitted over the Internet (Blum teaches a request such as an FTP request is encapsulated within HTTP by an encapsulation routine before reaching a proxy server, and the proxy server must then strip the FTP request from the HTTP encapsulation before making a connection over the Internet in native FTP mode (Blum, col. 1, line 58 – col. 2, line 11). Since Blum teaches these limitations in an environment such as a computer system for communicating with a remote server through the Internet which is similar to the system of Pallmann, thus, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Pallmann and Blum to include processing the HyperText Transfer Protocol command into a File Transfer Protocol command and forwarding the File Transfer Protocol command to the remote system in order to provide a number of benefits).

However, Pallmann and Blum do not explicitly disclose transmitting the command Hypertext Transfer Protocol without File Transfer Protocol. Booth teaches a proxy server is a type of gateway that allows a browser using HTTP to communicate with a server that does not understand HTTP, but which uses FTP; the proxy server accepts HTTP requests from the browser and translates them into a format that is suitable for the origin server such as an FTP request, and similarly, the proxy server translates FTP replies from the server into HTTP replies so that the browser can understand them (col. 1, lines 34-45). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Booth and Pallmann and Blum to include transmitting the command Hypertext Transfer Protocol without File Transfer Protocol for the purpose of enhance communications between users and servers that do not have the same protocols

16. As to claim 18, Pallmann-Blum-Booth teach a memory coupled to the processor for storing changes made during a session (Pallmann, col. 12, lines 21-33 and col. 19, lines 24-37).

17. As to claim 19, Pallmann-Blum-Booth teach wherein the I port accepts a single FTP script from the client computer system which contains an instruction and which also contains content data uploaded to the server computer from the client computer system (Pallmann, col. 19, lines 55-65: machine 102 can be used with FTP clients that support the -s:scriptfile syntax on the command line; col. 44, lines 46-64: the user's internet

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browser might be invoked by issuing to the operating system an command that executes the browser and opens data; col. 5, line 64 – col. 6, line 16: machine 102 can retrieve and process data 102 from data 108 where data 108 is in a text format, HTML format, image files, audio and video files, and machine 102 also accepts a plug-ins (software program) that might process such files).

18. Claims 16-17, 20-22, 24-25, 27-30 and 32 and are corresponding system and product claims containing the similar limitations as the methods described in claims 1, 3-9, 11, 13-15, and 18-19; therefore, they are rejected under the same rationale.

19. Claims 10, 23, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pallmann, Blum and Booth as discussed in claims 1, 3-9, 11, 13-22, 24-25, 27-30 and 32 above, and further in view of Bowman-Amuah, Patent No. 6,332,163.

20. As to claim 10, Pallmann-Blum-Booth, however, do not teach multiple users on a plurality of client computers access the remote system through a single log in. Bowman-Amuah teaches a system that allows users to access services and resources with a single log in regardless of where the user location is or where the resource location is (col. 64, lines 7-27). Thus, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Pallmann-Blum-Booth and Bowman-Amuah to include multiple users on a plurality of

client computers access the remote system through a single login in order to make the system more efficient.

21. Claims 23 and 31 are corresponding system and computer-readable medium claims containing the similar limitations as the method described in claim 10; therefore, it is rejected under the same rationale.

22. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pallmann, Blum and Booth as discussed in claims 1, 3-9, 11, 13-22, 24-25, 27-30 and 32 above, and further in view of Sridhar et al, Patent No. 6,324,582.

23. As to claim 12, Pallmann teaches the limitations as discussed above. However, Pallmann does not teach the remote system is a router. Sridhar teaches client and server computers are coupled to the Internet (handled by the Internet Protocol), which is connected by routers that forward packets towards their destinations (col. 1, lines 43-61 and col. 2, lines 27-42). Sridhar also teaches application layer protocols for file transfer, FTP (file transfer protocol), and for web page access, HTTP (hyper-text transfer protocol) for the system (col. 3, lines 5-13). Thus, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Pallmann and Sridhar to include routers in a remote in order to make the system more efficient.

Response to Arguments

A. "Pallman does not anticipate or render obvious a method for controlling a remote system over the Internet by executing a command through File Transfer Protocol including the steps of "issuing the command through the web browser on the local computer system; transmitting the command over the Internet as Hypertext Transfer Protocol without File Transfer Protocol components; processing the Hypertext Transfer Protocol command into a File Transfer Protocol command without de-encapsulation; and forwarding the file Transfer Protocol command to the remote system." (see page 3 of Remarks)

As to point A, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In this case, Pallmann teaches the invention as claimed, a method for a local computer system to control a remote system over the Internet, comprising the steps of:

issuing the command through the web browser on the local computer system (col. 8, line 57 – col. 9, line 65 and Fig. 23: when using the Internal FTP (a fully functional FTP client program and also serves as a browser) and the machine 102 prompts for a computer name asking for an Internet system identification, so computer

names may be supplied are such as Internet name (ftp.alphamicro.com) or Internet address (192.245.218.138: four numbers separated by dots where each numbers is in the range 0-255), or using the prefix ftp:// and computer name or Internet address, and any of these Internet system identification is considered as sending the command through the web browser on the local computer system);

transmitting the command as HyperText Transfer Protocol over the Internet (col. 8, line 57 – col. 9, line 65: the machine 102 will have access to the increasing number of World Wide Web pages on the Internet using HTTP protocol);

However, Pallmann does not teach processing the HyperText Transfer Protocol command into a File Transfer Protocol command and forwarding the File Transfer Protocol command to the remote system. Blum teaches a request such as an FTP request is encapsulated within HTTP by an encapsulation routine before reaching a proxy server, and the proxy server must then strip the FTP request from the HTTP encapsulation before making a connection over the Internet in native FTP mode (col. 1, line 58 – col. 2, line 11). Since Blum teaches these limitations in an environment such as a computer system for communicating with a remote server through the Internet which is similar to the system of Pallmann, thus, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Pallmann and Blum to include processing the HyperText Transfer Protocol command into a File Transfer Protocol command and forwarding the File Transfer Protocol command to the remote system in order to provide a number of benefits.

However, Pallmann and Blum do not explicitly disclose transmitting the command Hypertext Transfer Protocol without File Transfer Protocol and processing the Hypertext Transfer Protocol command into a File Transfer Protocol command without de-encapsulation. Booth teaches a proxy server is a type of gateway that allows a browser using HTTP to communicate with a server that does not understand HTTP, but which uses FTP; the proxy server accepts HTTP requests from the browser and translates them into a format that is suitable for the origin server such as an FTP request, and similarly, the proxy server translates FTP replies from the server into HTTP replies so that the browser can understand them (col. 1, lines 34-45). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Booth and Pallmann and Blum to include transmitting the command Hypertext Transfer Protocol without File Transfer Protocol and processing the Hypertext Transfer Protocol command into a File Transfer Protocol command without de-encapsulation for the purpose of enhance communications between users and servers that do not have the same protocols.

B. Blum et al, and Booth, alone or in combination with Pallman does not anticipate or render obvious a method for controlling a remote system over the Internet by executing a command through File Transfer Protocol including the steps of "issuing the command through the web browser on the local computer system; transmitting the command over the Internet as Hypertext Transfer Protocol without File Transfer Protocol components; processing the Hypertext Transfer Protocol command into a File

Transfer Protocol command without de-encapsulation; and forwarding the file Transfer Protocol command to the remote system. (see pages 4-5 of Remarks)

As to point B, the arguments are the same arguments as discussed in point A, please see the response to arguments above.

C. "Pallman, Blum et al., Booth and Bowman-Amuah references, either alone or in combination, do not anticipate or render obvious the embodiments of the present invention as are set forth in claims 10, 23 and 31." (see page 7 of Remarks)

As to point C, Pallmann-Blum-Booth, however, do not teach multiple users on a plurality of client computers access the remote system through a single log in. Bowman-Amuah teaches a system that allows users to access services and resources with a single log in regardless of where the user location is or where the resource location is (col. 64, lines 7-27). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Pallmann-Blum-Booth and Bowman-Amuah to include multiple users on a plurality of client computers access the remote system through a single login in order to make the system more efficient.

D. "Sridhar et al. does not overcome the shortcomings of Pallman, Blum and Booth noted above. Sridhar et al. alone or in combination with Pallman, Blum and Booth does not anticipate or render obvious a method for controlling a remote system over the Internet by executing a command through File Transfer Protocol including the steps of

"issuing the command through the web browser on the local computer system; transmitting the command over the Internet as Hypertext Transfer Protocol without File Transfer Protocol components; processing the Hypertext Transfer Protocol command into a File Transfer Protocol command without de-encapsulation; and forwarding the file Transfer Protocol command to the remote system." (see page 10 of Remarks)

As to point D, Examiner did not use Sridhar reference to reject the limitations in the argument of point D. Instead, Examiner used Sridhar reference to reject claim 12, which contains the limitation "the remote system is a router". Therefore, Applicant(s) cannot use the Sridhar reference to argue for arguments "Sridhar et al. alone or in combination with Pallman, Blum and Booth does not anticipate or render obvious a method for controlling a remote system over the Internet by executing a command through File Transfer Protocol including the steps of "issuing the command through the web browser on the local computer system; transmitting the command over the Internet as Hypertext Transfer Protocol without File Transfer Protocol components; processing the Hypertext Transfer Protocol command into a File Transfer Protocol command without de-encapsulation; and forwarding the file Transfer Protocol command to the remote system".

24. Applicant's arguments filed 10/07/2004 have been fully considered but they are not persuasive. Please see the rejection and response to arguments above.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The examiner can normally be reached on 8:00 am – 5:00 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chau Nguyen
Patent Examiner
Art Unit 2176



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER